

FILED

FEB - 9 2010

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

THE UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

0.09 ACRES OF LAND, MORE OR LESS)
SITUATE IN MAVERICK COUNTY,)
STATE OF TEXAS; AND JUAN JOSE)
MENDOZA, ET AL.,)

And)

0.464 ACRES OF LAND, MORE OR LESS)
SITUATE IN MAVERICK COUNTY,)
STATE OF TEXAS; AND THE ESTATE OF)
ANTONIO MUSQUIZ, ET AL.,)

Defendants.)

CIVIL NO.

DR10CA007

AGREED MOTION FOR DELIVERY OF IMMEDIATE POSSESSION


The United States of America, the Plaintiff herein, pursuant to 40 U.S.C. § 3114(d)(1), moves this Honorable Court to enter the attached agreed order for delivery of possession by Alejandro Musquiz, Consuelo Musquiz and the Estate of Antonio Musquiz. The parties have conferred and agree that the terms of the order of possession are reflected in the proposed order. Mr. Filemon Ortiz, Jr., attorney for the Estate of Antonio Musquiz, by signing below, indicates the consent of Antonio Musquiz, Consuelo Musquiz and the Estate of Antonio Musquiz to the entry of the proposed order.

[Handwritten signature]

WHEREFORE, Plaintiff United States of America, requests the Court enter the attached order awarding possession to the United States of America according to the terms of that order.

JOHN E. MURPHY
UNITED STATES ATTORNEY

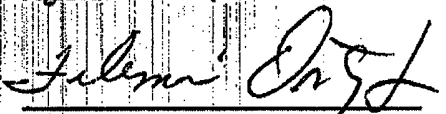
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AGREED ORDER

Before the Court is Plaintiff's Agreed Motion for Order of Immediate Possession. The Court grants that motion and ORDERS as follows:

1. This Order is without prejudice to the rights of Defendants to present evidence on the amount of just compensation to be paid and to share in the award.
2. Plaintiff shall have immediate possession and use of the property which is the subject of this suit, more particularly described in the Complaint as Tracts I and II.
3. This case will remain open for the issue of compensation.

Dated this ____ day of February, 2010.

ALIAS M. LUDLUM
UNITED STATES DISTRICT JUDGE